

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SAGI BARZILAY, )  
                    )  
Plaintiff,        )  
                    )  
vs.                )                  Case No. 4:07CV01781 ERW  
                    )  
TAMAR BARZILAY, )  
                    )  
Defendant.        )

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff Sagi Barzilay's Motion to Extend Time to Appeal [doc. #56].

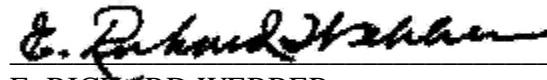
On March 23, 2009, this Court entered an Order [doc. #53] and Judgment [doc. #54], denying Plaintiff's Petition Under the Hague Convention. Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(A), the Parties had thirty days, or until April 22, 2009, to file a notice of appeal with the district clerk. On April 22, 2009, Plaintiff filed a Motion to Extend Time to Appeal [doc. #56] and attached his Notice of Appeal [doc. #56-2]. Because Plaintiff's Notice of Appeal was timely filed, his request for an extension of time is moot.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Extend Time to Appeal [doc. #56] is **DENIED, as moot**. The Court accepts Plaintiff's Notice of Appeal as timely filed.

**IT IS FURTHER ORDERED** that Plaintiff shall show cause, no later than May 4, 2009, why Defendant's Motion to Lift Stay of State Court Proceedings [doc. #55] should not be granted.

Dated this 24th Day of April, 2009.



E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE